IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL, CIVIL JURISDICTION

WRIT PETITION LODGING NO.2368 OF 2006

Shrenik Wadilal Shah & Ors..Petitioners

Vs.

LIC Housing Finance Ltd. &

Ors..Respondents

Mr. N.P. Dalvi with Mr. N.D. Yelkar for the petitioenrs
Mr. A.K. Punwani, for respondent NO.1.
Mr. Pradeep Jadhav, AGP for respondent No.2.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA, JJ.
DATE: 16TH OCTOBER,2006

P.C.

. Rule. Heard forthwith. In terms of the order of this Court dated 9th October, 2006 the petitioners have deposited 50% of the amount of Rs.3,35,520/-. Evidence to that effect has been placed before us. Petitioners further undertake to this Court that they will deposit the balance 50% on or before 10th November, 2006. In the light of that the present petition can be disposed of by issuing the following direction:-

(i) If the petitioners fail to deposit the balance 50% on or before 10th November, 2006 it will be open to the respondents to proceed with the proceedings which are presently pending.

(ii) If the petitioners deposit the balance 50% on or before 10th November, 2006 the present proceedings

will not be proceeded with.

(iii) In the event in future there will be any default on the part of the petitioners, it will be open to the respondents to take such steps which they are entitled to take and we further make it clear that the petitioner would not be entitled to get any indulgence which we have shown today in the proceedings. Petition stands disposed off accordingly. No order as to costs.

(F.I. REBELLO, J)

(ANOOP V. MOHTA,J).